

**Draft Summary of the Recreation and Socioeconomics Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
January 25, 2001**

The Department of Water Resources (DWR) hosted the Recreation and Socioeconomics Work Group meeting on January 25, 2001 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary of the discussion for information purposes for interested parties who could not attend the meeting.

Introduction

- Attendees were welcomed to the Recreation and Socieconomics Work Group meeting. The Recreation and Socioeconomics Work Group meeting agenda and list of attendees and their affiliations are appended to this summary as Attachments 1 and 2, respectively. Flip charts notes are included as Attachment 3.
- Rick Ramirez provided a brief update on the Plenary Group meeting held on January 18, 2001. A summary of the Plenary Group meeting can be viewed on the Oroville Facilities relicensing web site <http://OrovilleRelicensing.water.ca.gov>. Summaries are posted to the relicensing web site within fifteen days of the meeting. Summaries are also available from DWR by calling 1-866-820-8198.
- The Facilitator reminded the Work Group of their responsibilities under the Ground Rules for participants. The Ground Rules were established and accepted by the Work Group to discuss and resolve issues throughout the relicensing process. The Facilitator mentioned that almost every Ground Rule had been violated since their inception. Each Recreation and Socioeconomics Work Group participant was encouraged to keep the Ground Rules in mind before committing an action and cautioned that the Ground Rules are more difficult to adhere to than most would assume.

Action Items – December 7, 2000 Recreation and Socioeconomics Work Group Meeting

- The Facilitator informed the Work Group that the summary notes for the December 7, 2001 Recreation and Socioeconomics Work Group meeting had been posted to the relicensing web site. The Facilitator invited participants to provide corrections in substance or format. Comments will be responded to and posted on the relicensing web site as an addendum to the summary.

The Facilitator reviewed the status of action items from the previous Recreation and Socioeconomics Work Group meeting.

Action Item #1: Include meeting notices in the Paradise Post newspaper.
Status: Done.

Action Item #2: Participating agencies to develop a fact sheet to include: mandatory conditioning authorities, policies and/or guidelines applicable to the FERC process. What is their statutory authority?

Status: Agencies will be making presentations at today's meeting.

Action Item #3: Provide a briefing to the Work Group regarding operation of Oroville Facilities.

Status: DWR will make a presentation today.

Action Item #4: Participants with additional Work Group issues should send them to DWR staff prior to the next meeting.

Status: Dick Dunkel submitted additional issues to DWR. All Work Group participants were encouraged to continue to send in issues.

Agency Presentations

At the December 7, 2000 Recreation and Socioeconomics Work Group meeting, a request was made to have each participating agency develop a fact sheet to include: mandatory conditioning authorities and policies and/or guidelines applicable to the FERC process.

Several participating agencies presented the Recreation and Socioeconomics Work Group with information on their statutory authorities, plans and/or policy documents that might guide their participation in the relicensing process; they also identified issues that would be critical to the relicensing process. The following summary identifies the participating agency, presenter, and discussion with Work Group participants. All handouts distributed to the Work Group as part of these presentations are appended to this summary as Attachments 4 through 9.

US Forest Service (USFS) – Mike Taylor (Attachment 4)

- The Work Group discussed the process the Forest Service will use to develop their settlement letter. Mike stated he would work within the relicensing process to develop the Forest Service's recommendations to FERC, and their primary interest is in recreation at Feather Falls and on the North Fork. He indicated that USFS mandatory letter to FERC would likely be culled from the settlement agreements agreed to in the relicensing process.
- One participant wanted to know how the public could comment on the trails, which traverse through Feather Falls to the Pacific Crest Trail. Mike said that comments could be provided to Forest Service staff.

California Department of Fish & Game (DFG) – Andy Atkinson (Attachment 5, 6, and 7)

- One participant wanted to know if Fish & Game will add additional Game Wardens in the wildlife area this spring. Andy stated he has asked for one additional full-time Game Warden.

California Department of Parks & Recreation (DPR) – Kate Foley (Attachment 8)

- One participant wanted to know if concessionaires in State Parks had exclusive agreements and whether bass tournaments were considered concessions. Kate responded that there were no exclusive agreements with concessionaires in the parks, and events like bass tournaments were held under special use permits.
- The Work Group discussed the status of the park and recreation General Plan for Lake Oroville and how it related to the relicensing process. She responded that the General Plan had been completed in the early 1970's and has not been updated since. She added that any settlement agreements developed during the relicensing process would need to comply with the existing Plan. If a proposed enhancement did not comply with the Plan, then State Parks Board would have to approve a Plan amendment.

National Park Service (NPS) – Steve Nachtman

Steve filled in for the National Park Service representative. He mentioned that NPS will support a range of recreational opportunities both developed and dispersed, which would provide sustainable economies, while also providing for resource conservation. Steve added that Harry Williamson of the NPS will be actively involved with the relicensing process.

- The Work Group discussed how FWS and National Marine Fisheries Service would coordinate their efforts pursuant to the Endangered Species Act. Craig mentioned that both FWS and NMFS would work through the relicensing process to assist the Work Groups in fashioning settlement agreements that considered ESA criteria.
- One participant wanted to know if the water in the lower river could be made warmer to facilitate swimming. He also wanted to know why NMFS, who is responsible for the colder water, was not at the meeting. Craig responded that NMFS was part of the process, and that temperature regimens in the lower river could be addressed as part of the relicensing process.

FERC Role in the ALP Process

Lon Crow of the Federal Energy Regulatory Commission described the role of FERC in the ALP process. He discussed the positive aspects of using the ALP in comparison to the traditional licensing process:

- ♦ Consulting, negotiating and resolving resource issues early in the process
- ♦ Provides overlap between the ALP consultation process and FERC's NEPA responsibilities
- ♦ Allows stakeholders to communicate more effectively
- ♦ Allows stakeholders a greater range of participation in the relicensing process
- ♦ Involves FERC staff earlier

Lon explained that under the traditional licensing process NEPA requirements were addressed later in the relicensing process, excluding early public input, and FERC made most of the critical decisions. In the ALP, FERC has early input in the process, and settlement agreements negotiated as part of the relicensing process. He cautioned the group that the ALP only works if parties are willing to negotiate; Lon provided them with a variety of examples where ALPs have not worked because stakeholders were not willing to discuss the issues. Lon also provided examples where the ALP had resulted in settlement agreements between groups of people with long histories of confrontation. He added that collaboration has also helped in identifying mitigation plans after settlement agreements have been completed.

Lon identified the roles and responsibilities of FERC in the relicensing process:

- ♦ Participate in scoping of issues, reviewing study plans, and help with preparing the NEPA document
- ♦ Act as a sounding board -- bring knowledge of how issues have been resolved in other cases
- ♦ Suggest ways to consider power and non-power resources in deciding among competing issues
- ♦ Provide sideboards, or boundaries for consideration – focus mitigation near the project

Lon elaborated on what FERC requires in a recreation plan, including:

- ♦ Americans with Disabilities Act compliance
- ♦ Catalogue of existing facilities, proposed facilities, and proposed recreation uses
- ♦ Nexus between proposed recreation facilities and project impacts

Lon stressed the importance of thinking beyond license requirements and developing agreements that provide for implementation of recreation plans once the new license is issued. He added that FERC holds the applicant (DWR) responsible for making sure provisions of the recreation agreements are carried out.

- The Work Group discussed FERC's potential oversight response in the case where the licensee was not responsible for parks and recreation administration on project lands. This included compelling the licensee to honor commitments made in the existing recreation plan. Lon stated that DWR is responsible to FERC irrespective of their relationship with State Parks. He added that FERC often takes an incremental approach to recreation development. They may ask that 25 campgrounds be built in order to test the demand for campgrounds in the area. If the 25 sites are used, FERC may ask for 50 more to be built. Lon told the Work Group that it is important to focus less on projects during the settlement process and more on providing for post settlement oversight once the license has been granted. He urged participants to look to the future during the relicensing process and to learn from the past.
- DPR stated it has plans for Lake Oroville recreation outside of the relicensing process, and when funding becomes available projects will be built. Lon responded that DWR is responsible for enhancements inside the FERC project boundary, and that any project within the boundary would require FERC approval.
- One participant wanted to know how the project boundary was developed. Lon stated that the project boundary was based on the land and water that was needed to build and maintain the project and facilities, including recreation lands.
- One participant wanted to know if FERC felt that local buy-in to a settlement agreement was more important than other regional input. Lon said that FERC has no specific preference, and all project users are encouraged to comment. There is no preference and FERC must consider 'the public good' without delineating boundaries for that public.
- The Group discussed DWR's relationship to the community and the perceived lack of responsiveness to public input or advice. Lon reiterated his call to look to the future and develop comprehensive settlement agreements during the relicensing process. He added that the Work Group should determine what they want in the plan and then determine the cost rather than trying to hit some pre-determined cost.
- A copy of the FERC publication Recreation Development at Licensed Hydropower Projects was distributed to the Work Group.

Initial Information Package

The Initial Information Package (IIP) was distributed to the Recreation and Socioeconomics Work Group. DWR informed meeting participants that the complete IIP would be posted on the relicensing web site. Recreation and Socioeconomics Work Group participants were informed about the following item:

- Figure 1-1 was not available when the IIP was printed; it will be available to all participants listed on the sign-in sheet.

Project Facilities Operation

John Leahigh of DWR provided the Recreation and Socioeconomics Work Group with an overview of Oroville Facilities operations. A detailed description of the project operations can be found in Section 3.0 of the IIP.

John helped the Work Group understand that Lake Oroville is a key component of the State Water Project (SWP) and was built primarily for water supply and flood control purposes. Other benefits of the reservoir include recreation, environmental needs and power generation. The SWP captures and stores water during the winter and spring and transports and delivers water throughout the year to 29 State Water Contractors. John described the control and release of water from the SWP referencing flood control, environmental, power generation and water supply

criteria. He explained how winter and spring rain and snowmelt provide water to the lake and why the current water level is so low. He also described factors that may impact reservoir levels in the future such as increased diversions to the Feather River Service Area, environmental needs, and changes in flood control protocols.

- One participant stated that with demand for SWP water increasing, summer time low lake levels might become more severe. John agreed that summertime spikes may be deeper; however, average or above average rainfall will re-fill the reservoir.
- One participant wanted to know how much water was sent through the “low flow area” of the lower Feather River. John responded that the diversion dam that sends water into the Thermalito complex is designed to allow 600 cubic feet per second (cfs) into the low flow area, but that flow amount can increase during flood control releases. He added that there is a Biological Opinion favoring an increase in flow into the low flow area for fish habitat.
- One participant wanted to know if the Corps of Engineers would be involved in the relicensing process since changes to flood control criteria may be considered. DWR responded that the Corps had been contacted and is considering how they were going to participate in the process.

Task Force to Consider Interim Projects

At the request of the Plenary Group, the Recreation and Socioeconomics Work Group agreed to consider forming a Task Force to develop a list of interim projects for implementation prior to submission of the license application. DWR presented a potential ‘strawperson’ proposal entitled Evaluation and Approval for Oroville Facilities Interim Relicensing Recreation Enhancements for consideration. After some discussion, a Task Force was formed to include: Mike Kelley, Butte County Tax Payers; Bob Sharkey, Feather River Recreation & Parks District; Michael Pierce, ORAC; Kathy Hodges, Equestrian/Hiker; Annette DeBrotherton, Native American Coalition; Leo Battle, Chico Bass Club; Craig Jones, State Water Contractors; Peter Maki, Feather River Nature Center; Dick Dunkle, LOFAC; Charlie Miller, City of Oroville Parks & Trees; Ron Davis, Recreationist; Sonny Brandt, Joint Powers Authority; Eva Begley, DWR Operations & Maintenance; Tom Glover, Oroville Field Division; Lonnie Steedman, Chamber of Commerce; representative from Department of Boating and Waterways; and Kate Foley, Department of Parks and Recreation. The Task Force convened after the Work Group meeting to schedule a time and place to meet. The Recreation and Socioeconomics Work Group agreed that each Task Force member could have alternates attend in their place.

Homework

The Facilitator asked Recreation and Socioeconomics Work Group participants to begin thinking about developing scoping statements for the next meeting. Participants should take issues identified to date and group them into scoping statements. She described a scoping statement as an objective to shoot for or information that needs to be collected. She suggested that Recreation and Socioeconomics Work Group participants begin thinking of their ‘issues’ as tools to use to get to the objectives that will be included in a Recreation Plan. Scoping statements help focus goals and objectives in the recreation plan. The ‘tools’ will then be used to achieve the objectives. For example, an issue raised is the provision of boater safety training at Lake Oroville. This tool can be part of a package of tools utilized to achieve the objective of improved boater safety on the lake or put another way, decreased accidents. The facilitator shared some examples of scoping statements taken from other Scoping Documents and agreed to bring sample Scoping Documents to the next Work Group meeting for review. Examples of scoping statements that have appeared in other Scoping Documents were:

- What are the specific recreational opportunity and facility needs (current and future)?

- Effects of water level fluctuations from reservoir operations on recreational activities, both within and below project facilities, and on private land downstream.
- Effects of sediment accumulation and noxious weeds on boat accessibility, fishing and hunting.

The Facilitator indicated that developing scoping statements would be a focus for the next couple of Work Group meetings as we move toward the Scoping Document milestone.

Next Meeting

There was some discussion regarding long-term scheduling challenges because several other relicensing processes require time commitments from agency staff and other participants considered critical to the success of this relicensing process. The group agreed to revisit their meeting schedule once a critical path diagram and schedule identifies the most critical times for meetings to occur and is given to the Plenary Group for consideration. The Recreation and Socioeconomics Work Group agreed to the following date and time for their next meeting:

Date: Thursday, February 22, 2001
 Time: 6:00 p.m. to 10:00 p.m.
 Location: To be announced

The Recreation and Socioeconomics Work Group meeting was adjourned at 10 p.m.

Agreements Made

1. Participants agreed to form a Task Force to address interim projects (enhancements).
2. Participants agreed to review the IIP and develop additional scoping issues, paying special attention to issues identified by the agencies.
3. The Work Group agreed to meet again on February 22, 2001 from 6:00 p.m. to 10:00 p.m. Meeting location will be announced.

Action Items

The following list of action items identified by the Recreation and Socioeconomics Work Group includes a description of the action, the participant responsible for the action, and item status.

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| Action Item #1: | Task Force to identify interim projects (enhancements) & develop criteria and protocol for moving some projects forward during the relicensing process and report back to the Work Group. |
| Responsible: | Task Force |
| Due Date: | February 22, 2001 |
| Action Item #2: | Provide State Parks & Recreation 1973 Oroville General Plan and Amendment to document repository. |
| Responsible: | State Parks & Recreation and DWR |
| Due Date: | February 22, 2001 |
| Action Item #3: | Develop White Paper regarding Endangered Species Act and the relicensing process. |
| Responsible: | USFWS |
| Due Date: | February 22, 2001 |
| Action Item #4: | Presentation to Work Group regarding the life history of salmonids. |
| Responsible: | DWR |
| Due Date: | February 22, 2001 |

Action Item #5: Presentation by local agencies outlining guidelines, policies or directions related to this process.

Responsible: Participating local agencies

Due Date: February 22, 2001

Action Item #6: Presentation by the State Water Contractors regarding their relationship to the SWP.

Responsible: State Water Contractors

Due Date: February 22, 2001

Action Item #7: Work Group members to review IIP, study issues developed by the Work Group, and begin grouping issues into scoping statements.

Responsible: Work Group

Due Date: February 22, 2001

Action Item #8: Bring sample Scoping Documents to the next Work Group meeting for review.

Responsible: Facilitator

Due Date: February 22, 2001